

August 18, 2004

Honorable Board of Supervisors, County of Los Angeles
Kenneth Hahn Hall of Administration, Room 383
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**ZONE CHANGE CASE NO. 02-301-(5)
CONDITIONAL USE PERMIT CASE NO. 02-301-(5)
VESTING TENTATIVE PARCEL MAP NO. 26903
PETITIONER: WORLD PREMIER INVESTMENTS
3 IMPERIAL PROMENADE, STE. 550
SANTA ANA, CA 92707
QUARTZ HILL ZONED DISTRICT
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)**

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Consider the Mitigated Negative Declaration for Zone Change Case No. 02-301-(5), Conditional Use Permit Case No. 02-301-(5) and Vesting Tentative Parcel Map No. 26903, together with any comments received during the public review process, find on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment with the implementation of the required mitigation measures, find the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board, and adopt the Mitigated Negative Declaration.
2. Instruct County Counsel to prepare the ordinance to change the zone within the Quartz Hill Zoned District as recommended by the Regional Planning Commission (Zone Change Case No. 02-301-(5)).
3. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Conditional Use Permit Case No. 02-301-(5) and Vesting Tentative Parcel Map No. 26903.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

- Update the zoning on the subject property to allow the property owner to develop the property with commercial uses that are compatible with the surrounding community.
- Establish development standards that ensure future development on the subject property will be compatible with the goals and policies of the General Plan and the Antelope Valley Areawide Plan.

Implementation of Strategic Plan Goals

The County's Strategic Plan goal of service excellence is achieved through the timely, accurate and efficient processing of the project. The proposed zone change, conditional use permit, and vesting tentative parcel map promote the goal of fiscal integrity because the proposed commercial development will increase the county's revenue base.

The zone change, conditional use permit, and vesting tentative parcel map also promote the County's vision for improving the quality of life in Los Angeles County by providing nearby shopping facilities for local residents.

FISCAL IMPACT/FINANCING

Adoption of the proposed zone change and approval of the conditional use permit and vesting tentative parcel map should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On June 9, 2004, the Regional Planning Commission conducted a concurrent public hearing on Zone Change and Conditional Use Permit Case Nos. 02-301-(5) and Vesting Tentative Parcel Map No. 26903. The requests before the Commission were: 1) zone change from the existing A-1-10,000 (Light Agricultural- 10,000 square feet minimum lot area) to C-2-DP (Neighborhood Business-Development Program Zone) on the 5.16-acre project site, 2) a conditional use permit to ensure compliance with requirements of the proposed development program zone, and 3) Vesting Tentative Parcel Map No. 26903 to create five commercial lots with five new commercial buildings. The Regional Planning Commission voted to recommend approval of the requested zone change and to approve the conditional use permit and vesting tentative parcel map at their August 18, 2004 meeting.

Pursuant to subsection C of Section 21.56.010 and subsection B.2 of Section 22.60.230 of the County Code, the conditional use permit and vesting tentative parcel map are deemed to be called for review/appealed by your Board and shall be considered concurrently with the recommended zone change. A public hearing is required pursuant to Section 22.60.240 of the County Code and Sections 65355, 65453 and 66452.5 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, and 65355 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et.seq.) and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on flood, noise, water quality, biota, cultural resources, visual qualities, traffic, and utilities. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program prepared for the project.

IMPACT ON CURRENT SERVICES OR (OR PROJECTS)

Action on the project is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP, Director of Planning

**Honorable Board of Supervisors
Zone Change Case No. 02-301-(5)
Conditional Use Permit Case No. 02-301-(5)
Tentative Parcel Map No. 26903**

Page 4

Frank Meneses, Administrator
Current Planning Division

FM:EMF:al

Attachments: Board Resolution, Legal Descriptions, Commission Resolution,
Findings & Conditions, Commission Staff Report & Attachments, Zone
Change Map, Vesting Tentative Parcel Map, Exhibit "A"

C: Chief Administrative Officer
County Counsel
Assessor
Director, Department of Public Works

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
RELATING TO ZONE CHANGE CASE NO. 02-301-(5)**

WHEREAS, The County of Los Angeles Regional Planning Commission ("Commission") conducted a duly noticed public hearing in the matter of Zone Change Case No. 02-301-(5) on June 9, 2004; and

WHEREAS, the Commission finds as follows:

1. Zone Change Case No. 02-301-(5) is a request for a change of zone from A-1-10,000 (Light Agricultural-10,000 square feet minimum lot area) to C-2-DP (Neighborhood Business-Development Program Zone) on the subject property. The Development Program designation will ensure that development occurring after rezoning will conform to the approved plans and will ensure compatibility with the surrounding area. As applied to this case, the conditional use permit will restrict the development of the re-zoned site to the proposed residential development as shown on the site plan marked Exhibit "A". No other development is permitted on the property unless a new conditional use permit is first obtained.
2. The subject property is located at the northwest corner of Avenue N and 50th Street West in the Quartz Hill Zoned District.
3. The irregularly shaped property is 4.88 net acres (5.16 gross acres) in size with level topography. The site is currently vacant.
4. Access to the site will be provided from Avenue N and 50th Street West.
5. Zone Change Case No. 02-301-(5) was heard concurrently with Vesting Tentative Parcel Map No. 26903, and Conditional Use Permit Case No. 02-301-(5) at the June 9, 2004 public hearing.
6. Vesting Tentative Parcel Map No. 26903 is a related request to subdivide five commercial lots. Conditional Use Permit Case No. 02-301-(5) is a related request to construct the commercial development in compliance with the requirements of the proposed C-2-DP Zone. Approval of the tentative parcel map and conditional use permit will not become effective unless and until the Board of Supervisors has adopted an ordinance effecting the proposed change of zone and such ordinance has become effective.

7. The site plan for the Tentative Parcel Map and Conditional Use Permit, labeled Exhibit "A", depicts five commercial buildings totaling approximately 34,560 square feet and 218 parking spaces distributed throughout the project site.
8. The project site is currently zoned A-1-10,000 (Light Agricultural-10,000 square feet minimum lot area) which was established by Ordinance Number 6009 which became effective on August 8, 1952.
9. Surrounding zoning is A-10,000 to the north, east and west. Property to the south is located within the City of Palmdale and is zoned C-3 (General Commercial).
10. There are single-family residences and vacant properties to the north, east and south of the project site. An Albertson's supermarket (77,349 square feet), a gas station/convenience store, and retail shops are currently under construction on the property to the south within commercial zoning in the City of Palmdale.
11. The property is depicted in the Urban 1 ½ (up to 2.0 dwelling units/acre) land use category of the Antelope Valley Areawide General Plan Land Use Policy Map. This category permits residential development. However, the Plan provides an "Unmapped Neighborhood Commercial" category that allows locally-serving commercial uses in areas not designated for commercial development subject to the following Unmapped Community Commercial Conditions for Development:

A. Location

The proposed use should be located on the major roadways or at community focal points such as major intersections and established neighborhood shopping facilities.

The proposed use should be located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns.

The necessary public services should be readily available.

B. Scale

The scale of local service uses, in terms of acreage and permitted floor area, should be limited to that which can be justified by local community and neighborhood needs. In most instances, such uses, individually or in aggregate, should not exceed five acres in size.

The height of proposed service facilities should not exceed the general profile established by existing uses, and should in no event exceed that permitted in the neighboring residential development.

The overall scale and intensity of proposed local service uses should be in keeping with the surrounding neighborhood or community setting.

C. Design

The site should be to the extent possible compact and regular in shape to minimize impacts upon adjacent non-commercial developments.

The facility should be designed and operated in such a fashion as to minimize the negative impacts upon adjacent lands:

All outdoor lighting should be oriented away from residential areas;

All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc.

The site should be landscaped so as to cause it to blend into the surrounding area more easily

Development of the site should reflect locally recognized architectural themes and enhance overall community character;

All roof equipment should be screened from the view of adjacent residents.

- i. Local commercial signs and graphic displays should generally be confined to the façade surface of the business establishment, and should not project above the roof line nor disrupt the architectural design of the structure.
- ii. Free-standing signs should generally be discouraged, and permitted only where they are determined to be aesthetically and functionally appropriate.
- iii. Off-site signs should be prohibited.

Access and Traffic

- i. The design of the project should insure that anticipated traffic generation does not adversely impact streets and highways.

Wherever possible, access from adjacent interior residential streets should be prohibited.

- ii. Access, egress and on-site parking should be provided in a manner which maximizes safety and convenience, and minimizes adverse impacts on surrounding neighborhood and community land use patterns.
- 12. The project complies with the criteria required for the "Unmapped Neighborhood Commercial" category in that the proposed use is located at the intersection of two major highways, Avenue N and 50th Street West with access provided from these highways, rather than from adjacent residential streets, thereby minimizing impacts to the surrounding neighborhood.
- 13. The proposed use is located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns since the project is required to provide traffic improvements including the dedication of additional street right-of-way and payment for the cost of installation of a traffic signal at the intersection of Avenue N and 50th Street West. Necessary public services such as water, sewer, and utilities are readily available.
- 14. The five proposed commercial buildings, which total approximately 34,560 square feet and 16% lot coverage, consist of a Walgreens drug store, two restaurants, retail shops and a bank. These commercial uses can be justified by local community and neighborhood needs.
- 15. The proposed buildings are all one-story and do not exceed a height of 33 feet. The buildings are proposed to be designed in an "Early California" architectural style which reflects locally recognized architectural themes. The overall scale, design and intensity of proposed local service uses are in keeping with the surrounding neighborhood.
- 16. To minimize impacts to adjacent non-commercial developments, a 400-foot long, six to eight feet high concrete masonry wall shall be constructed on the northern property boundary adjacent to single-family residences.
- 17. The conceptual landscape plan depicts landscaping provided on all street frontages and throughout the project site, resulting in approximately 15 percent net lot area landscaped.
- 18. All roof equipment shall be required to be screened and all outdoor lighting shall be oriented away from residential areas. Local commercial signs and graphic

displays shall be confined to the façade surface of the business establishment and shall not project above the roof line nor disrupt the architectural design of the structure. A maximum of one free-standing sign shall be permitted on each lot. Off-site and outdoor advertising signs shall be prohibited.

19. The proposed zone change from A-1-10,000 to C-2-DP is consistent with the following goals and policies of the Los Angeles Countywide General Plan:
 - a. Goal: To maintain and enhance the quality of existing residential neighborhoods.

Policy: Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (P4)
 - b. Goal: To situate commercial activities in viable clusters that conveniently serve their market areas.

Policy: Place major emphasis on channeling new intensive commercial development into multipurpose centers. (P6)
 - c. Goal: To encourage high quality design in all development projects, compatible with, and sensitive to, the natural and manmade environment.

Policy: Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing and traffic. (P15)
20. At the public hearing, the Commission heard staff's presentation and the applicant's presentation.
21. One person testified at the public hearing stating concerns about impacts from the proposed development on adjoining residential uses.
22. Several comment letters were submitted regarding the project. The City of Palmdale requested that the project be required to match the City's roadway alignment by providing dedication of 63 feet and 72 feet of right-of-way from the centerline on Avenue N and 50th Street West, respectively. However, the County Department of Public Works determined that the traffic study did not warrant provision of the additional right-of-way. The Quartz Hill Town Council Executive Committee submitted a letter thanking the applicant for presenting the project to

the community. A nearby property owner expressed opposition to the project due to concerns about adverse commercial impacts and a desire to maintain the residential character of the community. The applicant's traffic engineer also submitted a correction of the traffic study's recommended mitigation measures for street right-of-way dedication.

23. The requested zone change to C-2-DP is necessary to authorize the proposed commercial use on the subject property. The related development project is consistent with the proposed C-2-DP zoning classification because pursuant to Section 22.40.040 of the Los Angeles County Code ("County Code"), property in a DP zone may be used for any use permitted in the basic zone, subject to the conditions and limitations of the conditional use permit and approved development program contained therein. Commercial uses such as drug stores, restaurants, banks and retail uses are permitted in the C-2 zone by Section 22.28.130 of the County Code.
24. Modified conditions warrant a revision in the zoning of the subject property. There has recently been considerable new residential development in the surrounding community. With the exception of an Albertsons supermarket under construction to the south, the nearest commercial services currently available for these residences are approximately three and one-half miles away.
25. A need for the proposed zone classification exists within the community in order to provide local and neighborhood-serving commercial uses to the surrounding residential community.
26. The subject property is a proper location for the proposed C-2-DP zoning classification and placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice because the site is located at the intersection of two major highways and adjacent to commercial zoning and uses, and is designed to be compatible with surrounding residential uses. The property has access to all necessary services and facilities and is of sufficient size and shape to accommodate the proposed development.
27. Compatibility with surrounding land uses will be further ensured through the conditions of approval of the related conditional use permit.
28. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the CEQA Guidelines and the Environmental Document Reporting

Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on flood, noise, water quality, biota, cultural resources, visual qualities, traffic, and utilities. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.

29. The Commission considered the Initial Study and Mitigated Negative Declaration together with the comments received during the public review process, and finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.

NOW THEREFORE BE IT RESOLVED, that the Regional Planning Commission of the County of Los Angeles recommends that the Board of Supervisors:

1. Hold a public hearing to consider Zone Change Case No. 02-301-(5), a proposed change of zone from A-1-10,000 (Light Agricultural-10,000 square feet minimum lot area) to C-2-DP (Neighborhood Business-Development Program Zone) on the 4.88-acre subject property.
2. Certify completion of and approve the Mitigated Negative Declaration and Mitigation Monitoring Program, and determine that Zone Change Case No. 02-301-(5) will not have a significant effect upon the environment.
3. Find the recommended zoning is consistent with the goals, policies and programs of the Los Angeles Countywide General Plan and the Antelope Valley Areawide General Plan.
4. Find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone.

**Honorable Board of Supervisors
Zone Change Case No. 02-301-(5)
Conditional Use Permit Case No. 02-301-(5)
Tentative Parcel Map No. 26903**

Page 13

5. Adopt recommended Zone Change Case No. 02-301-(5) changing the zoning classification on the property as depicted on the attached Exhibit and described hereinabove.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on August 18, 2004.

Rosie Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER CONDITIONAL USE PERMIT CASE NO. 02-301-(5)**

1. The County of Los Angeles Regional Planning Commission ("Commission") conducted a duly noticed public hearing in the matter of Conditional Use Permit Case No. 02-301-(5) on June 9, 2004. This conditional use permit request was heard concurrently with Zone Change Case No. 02-301-(5) and Vesting Tentative Parcel Map No. 26903.
2. The applicant is proposing to construct a commercial development on the subject property.
3. A conditional use permit is required to ensure compliance with the requirements of the proposed Development Program zone pursuant to Sections 22.20.170 and 22.40.040 of the Los Angeles County Code.
4. The subject site is located at the northwest corner of Avenue N and 50th Street West in the Quartz Hill Zoned District.
5. The irregularly shaped property is 4.88 net acres (5.16 gross acres) in size with level topography. The site is currently vacant.
6. The project site is currently zoned A-1-10,000 (Light Agricultural-10,000 square feet minimum lot area) which was established by Ordinance Number 6009 which became effective on August 8, 1952. Concurrent with this approval, however, the Commission has recommended that the Board of Supervisors ("Board") approve Zone Change Case No. 02-301-(5). If approved by the Board, the subject property will be zoned C-2-DP (Neighborhood Business-Development Program Zone) which would allow the proposed use.
7. Surrounding zoning is A-10,000 to the north, east and west. Property to the south is located within the City of Palmdale and is zoned C-3 (General Commercial).
8. There are single-family residences and vacant properties to the north, east and south of the project site. An Albertson's supermarket (77,349 square feet), a gas station/convenience store, and retail shops are currently under construction on the property to the south within commercial zoning in the City of Palmdale.
9. The project is consistent with the requested C-2-DP zoning classification. Pursuant to Section 22.40.040 of the Los Angeles County Code ("County Code"), property in a DP zone may be used for any use permitted in the basic zone,

subject to the conditions and limitations of a conditional use permit and an approved development program. Commercial uses such as supermarkets, drug stores, restaurants and banks are permitted in the C-2 zone, pursuant to Section 22.28.130 of the County Code.

10. The property is depicted in the Urban 1 ½ (up to 2.0 dwelling units/acre) land use category of the Antelope Valley Areawide General Plan Land Use Policy Map. This category permits residential development. However, the Plan provides an “Unmapped Neighborhood Commercial” category that allows locally-serving commercial uses in areas not designated for commercial development subject to the following Unmapped Community Commercial Conditions for Development:

A. Location

- i. The proposed use should be located on the major roadways or at community focal points such as major intersections and established neighborhood shopping facilities.
- ii. The proposed use should be located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns.
- iii. The necessary public services should be readily available.

B. Scale

- i. The scale of local service uses, in terms of acreage and permitted floor area, should be limited to that which can be justified by local community and neighborhood needs. In most instances, such uses, individually or in aggregate, should not exceed five acres in size.
- ii. The height of proposed service facilities should not exceed the general profile established by existing uses, and should in no event exceed that permitted in the neighboring residential development.
- iii. The overall scale and intensity of proposed local service uses should be in keeping with the surrounding neighborhood or community setting.

C. Design

- i. The site should be to the extent possible compact and regular in shape to minimize impacts upon adjacent non-commercial developments.
 - ii. The facility should be designed and operated in such a fashion as to minimize the negative impacts upon adjacent lands:
 - a. All outdoor lighting should be oriented away from residential areas;
 - b. All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc.;
 - c. The site should be landscaped so as to cause it to blend into the surrounding area more easily;
 - d. Development of the site should reflect locally recognized architectural themes and enhance overall community character; and
 - e. All roof equipment should be screened from the view of adjacent residents.
 - iii. Local commercial signs and graphic displays should generally be confined to the façade surface of the business establishment, and should not project above the roof line nor disrupt the architectural design of the structure.
 - iv. Free-standing signs should generally be discouraged, and permitted only where they are determined to be aesthetically and functionally appropriate.
 - v. Off-site signs should be prohibited.
- D. Access and Traffic
 - i. The design of the project should insure that anticipated traffic generation does not adversely impact streets and highways. Wherever possible, access from adjacent interior residential streets should be prohibited.
 - ii. Access, egress and on-site parking should be provided in a manner which maximizes safety and convenience, and minimizes adverse

impacts on surrounding neighborhood and community land use patterns.

11. The project complies with the criteria required for the “Unmapped Neighborhood Commercial” category in that the proposed use is located at the intersection of two major highways, Avenue N and 50th Street West with access provided from these highways, rather than from adjacent residential streets, thereby minimizing impacts to the surrounding neighborhood.
12. The proposed use is located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns since the project is required to provide traffic improvements including the dedication of additional street right-of-way and payment for the cost of installation of a traffic signal at the intersection of Avenue N and 50th Street West. Necessary public services such as water, sewer, and utilities are readily available.
13. The five proposed commercial buildings, which total approximately 34,560 square feet and 16 percent lot coverage, consist of a Walgreens drug store, two restaurants, retail shops and a bank. These commercial uses can be justified by local community and neighborhood needs.
14. The proposed buildings are all one-story and do not exceed a height of 33 feet. The buildings are proposed to be designed in an “Early California” architectural style which reflects locally recognized architectural themes. The overall scale, design and intensity of proposed local service uses are in keeping with the surrounding neighborhood.
15. To minimize impacts to adjacent non-commercial developments, a 400-foot long, six to eight feet high concrete masonry wall shall be constructed on the northern property boundary adjacent to single-family residences.
16. The permittee’s conceptual landscape plan depicts landscaping provided on all street frontages and throughout the project site, resulting in approximately 15 percent net lot area landscaped.
17. All roof equipment shall be required to be screened and all outdoor lighting shall be oriented away from residential areas. Local commercial signs and graphic displays shall be confined to the façade surface of the business establishment and shall not project above the roof line nor disrupt the architectural design of the structure. A maximum of one free-standing sign shall be permitted on each lot. Off-site and outdoor advertising signs shall be prohibited.

18. The proposed commercial center also conforms to the following goals and is consistent with the following policies of the Los Angeles Countywide General Plan ("General Plan"):
 - A. Goal: To maintain and enhance the quality of existing residential neighborhoods.

Policy: Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (P4)
 - B. Goal: To situate commercial activities in viable clusters that conveniently serve their market areas.

Policy: Place major emphasis on channeling new intensive commercial development into multipurpose centers. (P6)
 - C. Goal: To encourage high quality design in all development projects, compatible with, and sensitive to, the natural and manmade environment.

Policy: Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing and traffic. (P15)
19. Conditional Use Permit No. 02-301-(5) will not become effective unless and until the Board has adopted an ordinance effecting the proposed change of zone and such ordinance has become effective.
20. Vesting Tentative Parcel Map No. 26903 is a related request to create five commercial lots on the 4.88-acre subject property.
21. At the public hearing, the Regional Planning Commission received oral and written testimony regarding the proposed development.
22. One person testified at the public hearing stating concerns about impacts from the proposed development on adjoining residential uses.
23. Several comment letters were submitted regarding the project. The City of Palmdale requested that the project be required to match the City's roadway alignment by providing dedication of 63 feet and 72 feet of right-of-way from the centerline on Avenue N and 50th Street West, respectively. However, the County Department of Public Works determined that the traffic study did not

warrant provision of the additional right-of-way. The Quartz Hill Town Council Executive Committee submitted a letter thanking the applicant for presenting the project to the community. A nearby property owner expressed opposition to the project due to concerns about adverse commercial impacts and a desire to maintain the residential character of the community. The applicant's traffic engineer also submitted a correction of the traffic study's recommended mitigation measures for street right-of-way dedication.

24. The proposed project complies with the development standards of the C-2 zone, as set forth in Section 22.28.170 of the County Code, as follows:

A. Pursuant to Section 22.28.170.A. of the County Code, no more than 90 percent of the net area of the subject property shall be occupied by buildings, with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area. The applicant's site plan depicts approximately 16 percent of the net area occupied by buildings and the conceptual landscape plan depicts approximately 15 percent of the net area landscaped. The applicant's site plan is in compliance with the lot coverage and landscaping requirements of the C-2 zone.

B. Pursuant to Section 22.28.170.B. of the County Code, parking facilities shall be provided as required by Part 11 of Chapter 22.52. Pursuant to the County Code the parking requirements for the proposed commercial development are as follows:

Commercial - retail

(1) space/250 square feet of building

Restaurants -

(1) space/each three persons based on the occupant load determined by the County Engineer

Pursuant to Section 22.52.1084 of the County Code, every nonresidential use shall provide and maintain on-site loading and unloading spaces as required by such section. There shall be one Type "A" (12 feet in width by 24 feet in length) loading space each for the Drug Store and for Building "D".

Per Section 22.52.1060.E.2 of the County Code, a minimum of two

percent of the gross area of the parking lot shall be landscaped. Landscaping shall be distributed throughout the parking lot, so as to maximize the aesthetic effect and compatibility with adjoining areas.

The site plan submitted by the applicant dated April 6, 2004 depicts the following commercial building square footage which is used to calculate the commercial/retail parking requirement.

26,650 square feet retail space/250 = 107 parking spaces required

As the restaurants are proposed and not existing, there is no occupant load determination by the County Engineer. The applicant is proposing to provide 80 parking spaces for the restaurants which will be used in the parking calculations when a restaurant application has been submitted under the Revised Exhibit "A" process. In addition, the parking calculations will need to be verified based on the occupant load determined by the County Engineer.

Total parking spaces required = 187 spaces required

For 187 parking spaces, the Americans with Disabilities Act (ADA) requires six (6) spaces accessible to and reserved for persons with disabilities, and one (1) of these shall be van-accessible.

The applicant's site plan depicts 218 parking spaces, 202 standard and 16 accessible to persons with disabilities. A minimum of two Type "A" loading spaces shall be provided, one for the Drug Store on Lot 3 and one for Building "D" on Lot 5.

- C. In compliance with Section 22.28.170.C of the County Code, no structure shall exceed a height of 35 feet above grade. The applicant's site plan depicts a maximum building height of 28 feet with a tower that is a maximum of 33 feet in height; and
 - D. Any outside display and storage shall conform to Sections 22.28.170.D and E of the County Code. The applicant is not proposing any outside display or storage as part of this request.
- 25. The applicant has not provided any sign plans or elevations. As a condition of approval of this grant, the applicant will be required to submit sign plans and elevations in compliance with Part 10 of Chapter 22.52 of the County Code.
 - 26. There is no request for the on-site or off-site sale of alcoholic beverages within

any store or restaurant included with this proposal. The applicant shall be required to apply for a conditional use permit to allow alcoholic beverage sales at the commercial plaza.

27. The applicant has submitted a development program, consisting of a site plan and progress schedule, which complies with the requirements of Section 22.40.050 of the County Code.
28. As a condition of approval of this grant, the applicant shall be required to comply with all applicable development program conditions as set forth in County Code Section 22.40.070.
29. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on flood, noise, water quality, biota, cultural resources, visual qualities, traffic, and utilities. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.
30. The Commission considered the Initial Study and Mitigated Negative Declaration together with the comments received during the public review process, and finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission.
31. This project is not de minimus in its effect of fish and wildlife resources. Therefore, the project is subject to California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
32. Approval of this conditional use permit is conditioned on the permittee's

compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Parcel Map No. 26903. Additionally, the mitigation measures contained in the Mitigated Negative Declaration are incorporated into the conditions of approval for this permit.

33. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
34. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision in this matter is based is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan;
- B. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required; and
- E. That the development program submitted provides necessary safeguards to insure completion of the proposed development by the permittee, forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.40.060 and 22.56.090, Title 22, of the County Code.

REGIONAL PLANNING COMMISSION ACTION:

- 1. After consideration of the Mitigated Negative Declaration together with the comments received during the public review process, the Regional Planning Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and certifies and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the

project.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 02-301-(5) is approved subject to the attached conditions and further subject to approval by the Board of Supervisors of Zone Change Case No. 02-301-(5).

**CONDITIONS FOR APPROVAL
CONDITIONAL USE PERMIT CASE NO. 02-301-(5)**

1. This grant authorizes the use of the subject property for five commercial lots, as depicted on the approved Exhibit "A" (dated April 6, 2004) or an approved revised Exhibit "A", subject to all of the following conditions of approval.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition Nos. 7 and 8. Further, this grant shall not become effective unless and until the Board of Supervisors has approved Zone Change Case No. 02-301-(5) and an ordinance reflecting such change of zone has become effective.
3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
4. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
6. The property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder concurrently with the recordation of the final map for Vesting Tentative Parcel Map No. 26903. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
7. Within five (5) days of the tentative map approval date, remit a \$1275 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public

Resources Code. No land use project subject to this requirement is final, vested or operative until the fee is paid.

8. The subject property shall be developed and maintained in full compliance with the conditions of this grant, and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$3,750.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for twenty-five (25) biennial inspections. The inspections shall be unannounced.
9. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).
10. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action or proceeding and the County shall reasonably cooperate in the defense.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or

permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code ("County Code") Section 2.170.010.

12. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Parcel Map No. 26903. In the event that Vesting Tentative Parcel Map No. 26903 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
13. The subject property shall be graded, developed and maintained in substantial compliance with the approved tentative parcel map (dated April 6, 2004) and the approved Exhibit "A" (dated April 6, 2004) or an approved revised Exhibit "A."
14. All development shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property, except as specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of the Department of Regional Planning ("Director").
15. The maximum total floor area and lot coverage of the buildings shall not exceed 34,650 square feet and approximately 16 percent of the net lot area for the entire property.
16. A minimum of 15 percent of the net lot area for each lot shall be landscaped and a minimum of two percent of the gross area of the parking lot shall be landscaped.

17. No structure shall exceed a height of 33 feet above grade.
18. Five commercial buildings which may include a drug store with a drive-thru pharmacy, two restaurants with drive-thrus, and bank/retail/office buildings shall be permitted as depicted on the approved Exhibit "A" (dated April 6, 2004,) or an approved revised Exhibit "A," provided required parking spaces and loading areas are designed in compliance with Part 11 of Chapter 22.52 of the Zoning Code. As proposed, the permittee shall provide a minimum of 218 parking spaces, 202 of which are standard parking spaces, 16 of which are accessible to persons with disabilities and one of which shall be van accessible, developed to the specifications listed in Section 22.52.1060 of the County Code. Two Type "A" (12 feet in width by 24 feet in length) loading spaces shall be provided, one for the Drug Store on Lot No. 3 and one for Building "D" on Lot No. 5.
19. The permittee shall submit a copy of the project Conditions, Covenants, and Restrictions to the Director for review and approval prior to the recordation of the final map for Vesting Tentative Parcel Map No. 26903.
20. Operating hours of all commercial buildings, except for the restaurant drive-thru windows, shall not extend beyond the hours of 8:00 a.m. to 10:00 p.m. seven days a week. Operating hours of restaurant drive-thru windows shall not extend beyond the hours of 6:00 am to 12:00 am seven days a week. All deliveries to the subject property shall not extend beyond the hours of 8:00 a.m. to 10:00 p.m. seven days a week.
21. The permittee shall post five signs prohibiting loitering on the subject property. One sign shall be posted on each lot. The location of these signs shall be depicted on a revised Exhibit "A".
22. Electronic locking devices or similar mechanisms shall be installed on all shopping carts to prevent carts from being taken from the subject property.
23. All exterior lighting shall be shielded and directed away from neighboring residences to prevent direct illumination and glare.
24. All roof-mounted equipment shall be screened to the extent needed to mitigate visual impacts from adjacent residences to the satisfaction of the Director.
25. All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc.

26. Development of the site shall reflect locally recognized architectural themes and enhance overall community character to the satisfaction of the Director.
27. Business signs and graphic displays shall be confined to the façade surface of the business establishment, and shall not project above the roof line nor disrupt the architectural design of the structure. Outdoor advertising and off-site signs are prohibited on the subject property. A maximum of one freestanding sign is permitted on each lot. Prior to the installation of any signs on the subject property, the permittee shall submit to the Director for review and approval three (3) copies of dimensioned sign elevations for all proposed signs.
28. The permittee shall maintain free of litter all areas of the premises over which the permittee has control. All outdoor trash containers shall be covered and all trash enclosure areas shall be screened from public and private view corridors by landscaping, berms, compatible structures, or a combination of these. To ensure that trash and cooking smells are kept to a minimum, trash bins shall be picked-up a minimum of three (3) times a week.
29. This grant does not authorize the sale of alcoholic beverages for on- or off-site consumption. The permittee shall be required to apply for a conditional use permit to allow alcoholic beverage sales.
30. The storage or use of hazardous materials by the permittee or by tenants of the commercial buildings is prohibited.
31. The use of amplified sound equipment audible outside the buildings is prohibited.
32. Any outside display or storage shall comply with Section 22.28.170 D and E of the County Code.
33. All utilities shall be placed underground.
34. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").
35. Detonation of explosives or any other blasting devices or material shall be prohibited unless all required permits have been obtained and adjacent property owners have been notified.

36. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to Monday through Friday, between 7:00 a.m. and 6:00 p.m., and Saturday, between 8:00 a.m. and 5:00 p.m. No Sunday or holiday operations are permitted.
37. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Director of Public Works.
38. The permittee shall, upon commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.
39. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.
40. The permittee shall obtain all necessary permits from the Public Works and shall maintain all such permits in full force and effect as required.
41. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County of Los Angeles.
42. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
43. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
44. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with Los Angeles County Building and Plumbing Codes.
45. No grading permit shall be issued prior to the recordation of a final map except as authorized by the Director.

46. Prior to the issuance of any grading or building permit, a site plan shall be submitted to and approved by the Director indicating that the proposed construction and associated grading complies with the conditions of this grant and the standards of the zone.
47. Prior to the issuance of any grading permit, the permittee shall submit to the Director for review and approval three (3) copies of a revised landscape plan. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary. Drip irrigation systems or other water-conserving devices shall be employed for all plantings except for ground cover and grasses.

In addition to the review and approval by the Director, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning and by the Los Angeles County Fire Department. Their review will include an evaluation of the balance of structural diversity (e.g. trees, shrubs and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements. The landscaping plan shall be maintained in compliance with the approved landscaping plans.

Permitted Plantings. Trees, shrubs and/or ground cover indigenous to the local region shall be used for the required 50 percent landscaping. Fire retardant and locally indigenous plants that may also be used for the required 50 percent such landscaping can be found on the attached list (marked Exhibit "B") compiled by the Los Angeles County Fire Department. This list may be amended as approved by staff.

The landscaping plan must show that at least 50 percent of the area covered by landscaping will be locally indigenous species, including not only trees, but shrubs and ground cover as well. However, if the applicant can prove to the satisfaction of staff that a 50 percent or more locally indigenous species is not possible due to County fire safety requirements, then staff may determine that a lower percentage of such planting may be required. In those areas where staff approves a reduction to less than 50 percent locally indigenous vegetation, the amount of such planting required shall be at least 30 percent. The landscaping shall include trees, shrubs and/or ground cover at a mixture and density determined by staff and the fire department. Fire retardant plants shall be given first consideration.

Timing of Planting. Prior to the issuance of building permits for any construction the applicant shall submit a landscaping and phasing plan for the landscaping associated with that construction to be approved by the Director. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.

The planting shall begin at the time of occupancy of each building. The required planting of new trees, shrubs and/or ground cover shall be completed within eight months following occupancy.

The approved phasing plan shall set forth goals for the growth of the new plants in order to achieve established landscaping within eighteen months following completion of the required planting. The applicant shall supply information for staff review of the completed landscaping at such time to confirm completion in accordance with the approved landscaping plan. In the event that some plants have not flourished, at the time of review, staff may require replacement planting as necessary to assure completion in accordance with such plan.

48. The following development program conditions shall apply:
- a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property.
 - b. No existing building or structure which under the program is to be demolished shall be used.
 - c. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered.
 - d. All improvements shall be completed prior to the occupancy of any structures within each phase of development to the satisfaction of the Director of Planning.
 - e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.

49. The mitigation measures set forth in the "Project Mitigation Measures Due to Environmental Evaluation" section of the Mitigated Negative Declaration for the project are incorporated herein by reference and made conditions of this grant. The permittee shall comply with all mitigation measures in accordance with the attached Mitigation Monitoring Program. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Department of Regional Planning for approval. The reports shall describe the status of the permittee's compliance with the required mitigation measures.

The reports shall be submitted in the following sequence:

- a. Prior to or concurrent with submittal of a revised Exhibit "A" to be approved by the Director of Planning prior to issuance of grading permits.
 - b. At the time of building permit issuance, including verification of payment of applicable fees. If the project is phased, a report shall be submitted at each successive phase.
 - c. Prior to occupancy clearances by the Department of Public Works.
 - d. Additional reports shall be submitted as required by the Director of Planning and the Fire Department.
50. Within thirty (30) days of the approval date of this grant, as provided in the Mitigated Negative Declaration, the permittee shall deposit the sum of \$3,000.00 with the Department of Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Plan. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented and reported in the required Mitigation Monitoring Reports.

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER VESTING TENTATIVE PARCEL MAP NO. 26903**

1. The County of Los Angeles Regional Planning Commission ("Commission") conducted a duly noticed public hearing in the matter of Vesting Tentative Parcel Map No. 26903 on June 9, 2004. Vesting Tentative Parcel Map No. 26903 was heard concurrently with Zone Change Case No. 02-301-(5) and Conditional Use Permit Case No. 02-301-(5).
2. The applicant is proposing to construct a commercial development on the subject property.
3. Vesting Tentative Parcel Map No. 26903 is a proposal to subdivide the subject property into five commercial lots.
4. The subject site is located at the northwest corner of Avenue N and 50th Street West in the Quartz Hill Zoned District.
5. The irregularly shaped property is 4.88 net acres (5.16 gross acres) in size with level topography. The site is currently vacant.
6. The project site is currently zoned A-1-10,000 (Light Agricultural-10,000 square feet minimum lot area) which was established by Ordinance Number 6009 which became effective on August 8, 1952. Concurrent with this approval, however, the Commission has recommended that the Board of Supervisors ("Board") approve Zone Change Case No. 02-301-(5). If approved by the Board, the subject property will be zoned C-2-DP (Neighborhood Business-Development Program Zone) which would allow the proposed use.
7. Surrounding zoning is A-10,000 to the north, east and west. Property to the south is located within the City of Palmdale and is zoned C-3 (General Commercial).
8. There are single-family residences and vacant properties to the north, east and south of the project site. An Albertson's supermarket (77,349 square feet), a gas station/convenience store, and retail shops are currently under construction on the property to the south within commercial zoning in the City of Palmdale.
9. The project is consistent with the requested C-2-DP zoning classification. Pursuant to Section 22.40.040 of the Los Angeles County Code ("County Code"), property in a DP zone may be used for any use permitted in the basic zone,

subject to the conditions and limitations of a conditional use permit and an approved development program. Commercial uses such as supermarkets, drug stores, restaurants and banks are permitted in the C-2 zone, pursuant to Section 22.28.130 of the County Code.

10. The property is depicted in the Urban 1 ½ (up to 2.0 dwelling units/acre) land use category of the Antelope Valley Areawide General Plan Land Use Policy Map. This category permits residential development. However, the Plan provides an “Unmapped Neighborhood Commercial” category that allows locally-serving commercial uses in areas not designated for commercial development subject to the following Unmapped Community Commercial Conditions for Development:

A. Location

- i. The proposed use should be located on the major roadways or at community focal points such as major intersections and established neighborhood shopping facilities.
- ii. The proposed use should be located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns.
- iii. The necessary public services should be readily available.

B. Scale

- i. The scale of local service uses, in terms of acreage and permitted floor area, should be limited to that which can be justified by local community and neighborhood needs. In most instances, such uses, individually or in aggregate, should not exceed five acres in size.
- ii. The height of proposed service facilities should not exceed the general profile established by existing uses, and should in no event exceed that permitted in the neighboring residential development.
- iii. The overall scale and intensity of proposed local service uses should be in keeping with the surrounding neighborhood or community setting.

C. Design

- iv. The site should be to the extent possible compact and regular in shape to minimize impacts upon adjacent non-commercial developments.
- v. The facility should be designed and operated in such a fashion as to minimize the negative impacts upon adjacent lands:
 - a. All outdoor lighting should be oriented away from residential areas;
 - b. All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc.
 - c. The site should be landscaped so as to cause it to blend into the surrounding area more easily
 - d. Development of the site should reflect locally recognized architectural themes and enhance overall community character;
 - e. All roof equipment should be screened from the view of adjacent residents.
- vi. Local commercial signs and graphic displays should generally be confined to the façade surface of the business establishment, and should not project above the roof line nor disrupt the architectural design of the structure.
- vii. Free-standing signs should generally be discouraged, and permitted only where they are determined to be aesthetically and functionally appropriate.
- viii. Off-site signs should be prohibited.

Access and Traffic

- i. The design of the project should insure that anticipated traffic generation does not adversely impact streets and highways. Wherever possible, access from adjacent interior residential streets should be prohibited.

- ii. Access, egress and on-site parking should be provided in a manner which maximizes safety and convenience, and minimizes adverse impacts on surrounding neighborhood and community land use patterns.
- 11. The project complies with the criteria required for the “Unmapped Neighborhood Commercial” category in that the proposed use is located at the intersection of two major highways, Avenue N and 50th Street West with access provided from these highways, rather than from adjacent residential streets, thereby minimizing impacts to the surrounding neighborhood.
- 12. The proposed use is located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns since the project is required to provide traffic improvements including the dedication of additional street right-of-way and payment for the cost of installation of a traffic signal at the intersection of Avenue N and 50th Street West. Necessary public services such as water, sewer, and utilities are readily available.
- 13. The five proposed commercial buildings, which total approximately 34,560 square feet and 16 percent lot coverage, consist of a Walgreens drug store, two restaurants, retail shops and a bank. These commercial uses can be justified by local community and neighborhood needs.
- 14. The proposed buildings are all one-story and do not exceed a height of 33 feet. The buildings are proposed to be designed in an “Early California” architectural style which reflects locally recognized architectural themes. The overall scale, design and intensity of proposed local service uses are in keeping with the surrounding neighborhood.
- 15. To minimize impacts to adjacent non-commercial developments, a 400-foot long, six to eight feet high concrete masonry wall shall be constructed on the northern property boundary adjacent to single-family residences.
- 16. The conceptual landscape plan depicts landscaping provided on all street frontages and throughout the project site, resulting in approximately 15 percent net lot area landscaped.
- 17. All roof equipment shall be required to be screened and all outdoor lighting shall be oriented away from residential areas. Local commercial signs and graphic displays shall be confined to the façade surface of the business establishment

and shall not project above the roof line nor disrupt the architectural design of the structure. A maximum of one free-standing sign shall be permitted on each lot. Off-site and outdoor advertising signs shall be prohibited.

19. The proposed commercial center also conforms to the following goals and is consistent with the following policies of the Los Angeles Countywide General Plan ("General Plan"):
 - b. Goal: To maintain and enhance the quality of existing residential neighborhoods.

Policy: Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (P4)
 - b. Goal: To situate commercial activities in viable clusters that conveniently serve their market areas.

Policy: Place major emphasis on channeling new intensive commercial development into multipurpose centers. (P6)
 - d. Goal: To encourage high quality design in all development projects, compatible with, and sensitive to, the natural and manmade environment.

Policy: Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing and traffic. (P15)
20. Approval of Vesting Tentative Parcel Map No. 26903 will not become effective unless and until the Board of Supervisors has adopted an ordinance effecting the change of zone and such ordinance has become effective.
21. Conditional Use Permit Case No. 02-301-(5) is a related request to construct five new commercial buildings on the project site in compliance with the requirements of the proposed C-2-DP Zone.
22. At the public hearing, the Regional Planning Commission heard staff's presentation and the applicant's presentation.
23. One person testified at the public hearing with concerns about impacts from the proposed development on adjoining residential uses.

24. Several comment letters were submitted regarding the project. The City of Palmdale requested that the project be required to match the City's roadway alignment by providing dedication of 63 feet and 72 feet of right-of-way from the centerline on Avenue N and 50th Street West, respectively. However, the County Department of Public Works determined that the traffic study did not warrant provision of the additional right-of-way. The Quartz Hill Town Council Executive Committee submitted a letter thanking the applicant for presenting the project to the community. A nearby property owner expressed opposition to the project due to concerns about adverse commercial impacts and a desire to maintain the residential character of the community. The applicant's traffic engineer also submitted a correction of the traffic study's recommended mitigation measures for street right-of-way dedication.
25. Access to the proposed development will be provided from Avenue N and 50th Street West.
26. The proposed use is required to comply with the development standards of the C-2-DP Zone pursuant to Section 22.20.210 of the County Code.
27. The proposed development is compatible with surrounding land use patterns.
28. The proposed subdivision and the provisions for its design and improvement are consistent with the goals and policies of the General Plan and the Antelope Valley Areawide General Plan.
29. The site is physically suitable for the type of development and density being proposed, since the property is relatively level and has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by public sewers, will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and will have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works.
30. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the conditions of approval.
31. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and avoidable injury to fish or

wildlife or their habitat. The subject property is not located in a Significant Ecological Area and does not contain any stream courses or high value riparian habitat.

32. The design of the subdivision provides to the extent feasible, for future passive or natural heating or cooling opportunities therein.
33. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and on the tentative map, provide adequate protection for any such easements.
34. The design of the subdivision and the type of improvements will not conflict with public easements for access through or use of property within the proposed subdivision, since the design and development as set forth in the conditions of approval and shown on the tentative map provide adequate protection for any such easements.
35. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
36. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Code.
37. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the Countywide General Plan.
38. This parcel map has been submitted as a "Vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code (Subdivision Ordinance).
39. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the CEQA Guidelines and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study

identified potentially significant effects of the project on flood, noise, water quality, biota, cultural resources, visual qualities, traffic, and utilities. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.

40. The Commission considered the Initial Study and Mitigated Negative Declaration together with the comments received during the public review process and finds on the basis of the whole record that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission.
41. This project is not de minimus in its effect of fish and wildlife resources. Therefore, the project is subject to California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
42. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for Conditional Use Permit 02-301-(5). Additionally, the mitigation measures contained in the Mitigated Negative Declaration are incorporated into the conditions of approval for this permit.
43. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision in this matter is based is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

REGIONAL PLANNING COMMISSION ACTION:

1. After consideration of the attached Mitigated Negative Declaration together with the comments received during the public review process, the Regional Planning

Commission finds on the basis of the whole record before it that there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and certifies adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.

2. In view of the findings of fact and conclusions presented above, Vesting Tentative Parcel Map No. 26903 is APPROVED subject to the attached conditions and further subject to approval by the Board of Supervisors of Zone Change Case No. 02-301-(5).

**CONDITIONS FOR APPROVAL
VESTING TENTATIVE PARCEL MAP NUMBER 26903**

1. Conform to the applicable requirements of Titles 21 and 22 of the Los Angeles County Code (Subdivision and Zoning Ordinances) including the requirements of the C-2-DP zone, and all conditions of approval for Conditional Use Permit Case No. 02-301-(5) and the Mitigation Monitoring Plan.
2. Recordation of the final map is contingent upon the effectuation of an ordinance changing the zoning on the property from A-1-10,000 to C-2-DP as recommended under Zone Change Case No. 02-301-(5).
3. Show Avenue N and 50th Street West as dedicated streets on the final map.
5. Permission is granted to adjust lot lines to the satisfaction of the Department of Regional Planning.
6. Submit a copy of the project Covenants, Conditions, and Restrictions ("CC&Rs") and maintenance agreement to the Department of Regional Planning for review and approval prior to final map recordation.
7. Provide at least 40 feet of street frontage at the property line for each lot fronting on a cul-de-sac and knuckle and at least 50 feet of street frontage at the property line for all other lots, except for flag lots. Provide approximately radial lot lines for each lot.
8. Flag lots shall have fee access strips of:
 - A minimum of 15 feet in width where serving one residence or 20 feet in width where the driveway is 20 feet in length;
 - A minimum of 20 feet in width where serving two residences; and;
 - A minimum of 24 feet in width where serving three residences.
9. Provide reciprocal easements over the multiple access strips for the benefit of the lots served and post with "No Parking" signs. Submit to the Department of Regional Planning for approval a notarized letter agreeing to record the easement documents when the lots are sold and a copy of the easement document.

10. Construct or bond with the Department of Public Works for driveway paving in widths as shown on the exhibit map marked Exhibit "A" (dated April 6, 2004) to the satisfaction of the Department of Regional Planning and the Fire Department.
11. Label all driveways required to be designated as fire lanes by the Fire Department as "Private Driveway and Fire Lane".
12. Post all driveways which are designated "Private Driveway and Fire Lane" with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the project CC&Rs or maintenance agreement.
13. Provide for the ownership and continued maintenance of the private driveways through a maintenance agreement.
14. Submit three copies of a landscape plan which may be incorporated into a revised site plan, for review and approval by the Director of the Department of Regional Planning ("Director") as required by Conditional Use Permit Case No. 02-301-(5).
15. Within five (5) days of the tentative map approval date, remit a \$1275 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code and section 711 of the California Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested or operative until the fee is paid.
16. Record the terms and conditions of Conditional Use Permit Case No. 02-301-(5) in the office of the County Recorder prior to final map recordation.
17. Record a covenant agreeing to comply with the required environmental mitigation measures imposed by the Mitigated Negative Declaration for this project. Submit a copy of the covenant to the Director for approval prior to final map recordation.
18. Within thirty (30) days of the approval date of this grant, as provided in the Mitigated Negative Declaration, the subdivider shall deposit the sum of \$3,000.00 with the Department of Regional Planning to defray the cost of reviewing the subdivider's reports and verifying compliance with the Mitigation Monitoring Plan. The subdivider shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director, to ensure that all

applicable mitigation measures are implemented and reported in the required Mitigation Monitoring Reports.

19. The subdivider shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this tentative approval, or related discretionary project approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code section 65499.37 or any applicable limitation period. The County shall notify the subdivider of any claim, action, or proceeding and the County shall cooperate fully in the defense.
20. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the subdivider or the subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds to bring the balance up to the amount of initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of litigation.
 - b. At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the subdivider in accordance with Los Angeles County Code Section 2.170.010.

Except as expressly modified hereinabove, this approval is subject to all those conditions set forth in the attached Mitigation Monitoring Program and the attached reports recommended by the Los Angeles County Subdivision Committee, consisting of the Department of Public Works, Fire Department, Department of Parks and Recreation and Department of Health Services.

STAFF REPORT
June 9, 2004 REGIONAL PLANNING COMMISSION PUBLIC HEARING

PROJECT OVERVIEW

The applicant, World Premier Investments, proposes to create five commercial lots to develop a shopping center. The proposal requires the approval of Zone Change Case No. 02-301-(5) to change the zoning of the subject property from A-1-10,000 (Light Agricultural, 10,000 square feet minimum lot area) to C-2-DP (Neighborhood Business, Development Program Zone), Vesting Tentative Parcel Map No. 26903 for the five-lot subdivision, and Conditional Use Permit Case No. 02-301-(5) to ensure compliance with requirements of the Development Program Zone.

DESCRIPTION OF PROJECT PROPERTY

Location: The project site is located at the northwest corner of Avenue N and 50th Street West in the Quartz Hill Zoned District.

Physical Features: The subject property is approximately 5.16 net acres (4.88 gross acres) in size and irregularly shaped with flat to gently sloping terrain.

Access: Access to the site is provided from Avenue N and 50th Street West, major highways having variable right-of-way widths.

ENTITLEMENTS REQUESTED

Zone Change: The applicant requests approval of a change of zone from A-1-10,000 (Light Agricultural, 10,000 square feet minimum lot area) to C-2-DP (Neighborhood Business, Development Program Zone).

Conditional Use Permit: The applicant requests approval of a Conditional Use Permit to ensure compliance with requirements of the Development Program Zone.

Vesting Tentative Parcel Map: The applicant requests approval of Vesting Tentative Parcel Map No. 26903 to create five commercial lots.

EXISTING ZONING

The subject property is currently zoned A-1-10,000. The applicant requests a zone change

to C-2-DP (Neighborhood Business, Development Program Zone) to permit the proposed commercial development.

Surrounding zoning consists of:

North: A-1-10,000

South: C-3 (General Commercial); City of Palmdale

East: A-1-10,000

West: A-1-10,000

EXISTING LAND USES

The project site is currently vacant.

Surrounding land uses include:

North: Single-family residences.

South: Proposed Commercial Shopping Center (Albertsons); City of Palmdale

East: Single-family residences.

West: Vacant.

PREVIOUS CASE/ZONING HISTORY

The current A-1-10,000 zoning on the subject property became effective on August 8, 1952, following the adoption of Ordinance Number 6009 which created the Quartz Hill Zoned District.

PROJECT DESCRIPTION

The applicant proposes to create five lots with five commercial buildings on the 4.88-net acre site. Proposed lot sizes range from 12,439 to 49,837 square feet. The buildings include a Walgreens drug store (24-hour pharmacy drive-thru), a bank, two drive-thru restaurants and a multi-tenant building for retail shops. The proposed one-story buildings encompass 34,650 square feet with 16% lot coverage, are a maximum of 32 feet in height and designed in an "Early California" architectural style. A total of 187 parking spaces are required and the applicant is proposing to provide 218 parking spaces. Landscaping is provided on all street frontages with up to a 10-foot landscaped setback and throughout the development, resulting in approximately 15% of the net lot area landscaped. The applicant proposes grading of approximately 11,300 c.y. of cut and 14,300 c.y. of fill, with 3100 c.y. to be imported. In order to mitigate potential noise impacts, a 400-foot long, six to eight feet high concrete masonry wall is required to be constructed along the northern property boundary adjacent to single-family residences.

The subject property is located at the intersection of two major highways (Avenue N and 50th Street West) which will provide two means of access to the proposed commercial development. Common driveways with variable widths up to 36 feet will be provided within the shopping center. Street improvements include the requirement to dedicate 50 feet of right-of-way from centerline on Avenue N and 59 feet of right-of-way from centerline on 50th Street West. The applicant is required to contribute its proportionate share of the cost for traffic improvements including installation of a traffic signal at the intersection.

The proposed development has been reviewed by the members of the Subdivision Committee and has been recommended for approval. The proposed conditions of approval are attached.

GENERAL PLAN LAND USE POLICY MAP/ PERTINENT POLICIES

The subject property is depicted in the Urban 1 ½ (up to 2.0 dwelling units/acre) land use category of the Antelope Valley Areawide General Plan Land Use Policy Map. This category permits residential development. However, the applicant requests to use the “Unmapped Neighborhood Commercial” category of the Antelope Valley Plan which allows commercial uses in areas not designated for commercial development and is intended for uses designed to serve the local residential neighborhood. To qualify for the “Unmapped Neighborhood Commercial” category, a project must comply with the following design criteria:

A. Location

1. The proposed use should be located on the major roadways or at community focal points such as major intersections and established neighborhood shopping facilities.
2. The proposed use should be located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns.
3. The necessary public services should be readily available.

B. Scale

- iv. The scale of local service uses, in terms of acreage and permitted floor area, should be limited to that which can be justified by local community and neighborhood needs. In most instances, such uses, individually or in aggregate, should not exceed five acres in size.
- v. The height of proposed service facilities should not exceed the general profile established by existing uses, and should in no event exceed that permitted in the neighboring residential development.
- vi. The overall scale and intensity of proposed local service uses should be in keeping with the surrounding neighborhood or community setting.

C. Design

- ix. The site should be to the extent possible compact and regular in shape to minimize impacts upon adjacent non-commercial developments.
- x. The facility should be designed and operated in such a fashion as to minimize the negative impacts upon adjacent lands:
 - a. All outdoor lighting should be oriented away from residential areas;
 - b. All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc.
 - c. The site should be landscaped so as to cause it to blend into the surrounding area more easily
 - d. Development of the site should reflect locally recognized architectural themes and enhance overall community character;
 - e. All roof equipment should be screened from the view of adjacent residents.
- xi. Local commercial signs and graphic displays should generally be confined to the façade surface of the business establishment, and should not project above the roof line nor disrupt the architectural design of the structure.
- xii. Free-standing signs should generally be discouraged, and permitted only where they are determined to be aesthetically and functionally appropriate.
- xiii. Off-site signs should be prohibited.

D. Access and Traffic

- i. The design of the project should insure that anticipated traffic generation does not adversely impact streets and highways. Wherever possible, access from adjacent interior residential streets should be prohibited.
- ii. Access, egress and on-site parking should be provided in a manner which maximizes safety and convenience, and minimizes adverse impacts on surrounding neighborhood and community land use patterns.

The applicant has submitted the attached consistency analysis to demonstrate that the

proposed development meets the design criteria of the "Unmapped Neighborhood Commercial" land use category of the Antelope Valley Areawide General Plan.

ZONE CHANGE

The applicant is requesting to change the zoning of the subject property from A-1-10,000 to C-2-DP (Neighborhood Business, Development Program Zone) due to modified circumstances and the need for neighborhood commercial uses. There has recently been considerable new residential development in the surrounding community. With the exception of the Albertson's project under construction to the south, the nearest commercial services currently available for these residences are approximately three and one-half miles away. The applicant believes these changed conditions and new developments have resulted in the need for neighborhood commercial uses intended to serve the surrounding residential community. The proposed C-2-DP Zone would be consistent with the requested use of the "Unmapped Neighborhood Commercial" land use category of the Antelope Valley Areawide General Plan which permits commercial uses intended to serve local residential communities. The proposed zone change would also be compatible with the City of Palmdale's C-3 (General Commercial) zoning to the south and the City's recently approved commercial development including an Albertson's supermarket (77,349 square feet), a gas station/convenience store, and retail shops. The applicant has submitted the attached burden of proof for the zone change.

CONDITIONAL USE PERMIT

Pursuant to Section 22.40.040, the applicant has requested a Conditional Use Permit and submitted an Exhibit "A" to demonstrate compliance with requirements of the Development Program Zone. The applicant has also submitted a development progress schedule which is attached to this report.

LEGAL NOTIFICATION AND COMMUNITY OUTREACH

The public hearing notice was advertised in the Antelope Valley Press and La Opinion on May 7, 2004 and May 8, 2004, respectively. The public hearing notice was posted on the property on May 10, 2004. Public hearing materials were sent to the public library and posted on the Department website on May 6, 2004. The public hearing notice was sent to 44 property owners within a 500 foot radius. Staff has not received any correspondence on the project.

The applicant met with the Quartz Hill Homeowners Association Executive Council on May

11, 2004 regarding the proposed development.

BURDEN OF PROOF

Pursuant to Los Angeles County Zoning Code Section 22.16.110, the applicant must meet the burden of proof for a zone change. Pursuant to Los Angeles County Zoning Code Section 22.56.040, the applicant must meet the burden of proof for a conditional use permit. Refer to the attached burden of proof statements submitted by the applicant.

ENVIRONMENTAL DOCUMENTATION

In accordance with State and County CEQA guidelines, a Mitigated Negative Declaration was prepared for the proposed project. Based upon the attached Mitigated Negative Declaration, potential environmental impacts on flood, noise, water quality, biota, cultural resources, visual qualities, traffic, and utilities would not be significant with implementation of the recommended mitigation measures specified in the Mitigation Monitoring Program.

CORRESPONDENCE

The City of Palmdale had previously provided comments on the project during preparation of the environmental document and was particularly concerned about traffic and circulation impacts since the intersection of Avenue N and 50th Street West has shared jurisdiction with the County. The City had recommended that the project be required to match the City's roadway alignment at this intersection, thereby providing a smooth transition from the City into the County. Consequently, the City requested the project be conditioned to provide dedication of 63 feet and 72 feet of right-of-way from the centerline on Avenue N and 50th Street West, respectively. However, the County Department of Public Works determined that since the County's standard cross-section for a major highway is 100 feet in width, only 50 feet of right-of-way dedication from centerline would be required for Avenue N and 50th Street West. In addition, the traffic study determined that the project did not warrant additional right-of-way width. However, due to the City's request for additional street dedication, the applicant agreed to increase the right-of-way width from centerline on 50th Street West an extra nine feet. Consequently, the tentative map depicts dedication of 50 feet and 59 feet of right-of-way from centerline on Avenue N and 50th Street West, respectively. Still, the City of Palmdale feels that dedication of 63 feet and 72 feet of right-of-way from the centerline on Avenue N and 50th Street West is necessary to ensure consistency with the City's road cross-sections and requests the project be conditioned to provide the additional right-of-way.

STAFF EVALUATION

The proposed development is consistent with all applicable provisions of the Antelope Valley Areawide General Plan, Subdivision Code, Zoning Code, and the proposed C-2-DP zoning. The subject property is surrounded by compatible uses and residential densities and has access to a County maintained street. All required public services and necessary infrastructure will be provided for the proposed subdivision.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that the Regional Planning Commission certify the Mitigated Negative Declaration, approve Vesting Tentative Parcel Map No. 26903 and Conditional Use Permit Case No. 02-301-(5), , and recommend adoption of Zone Change Case No. 02-301-(5) to the Board of Supervisors.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, direct staff to prepare the necessary findings and conditions for approval of Conditional Use Permit Case No. 02-301-(5) and Vesting Tentative Parcel Map No. 26903, and recommend approval of Zone Change Case No. 02-301-(5) to the Board of Supervisors."

Attachments:

- Draft Conditions
- Zone Change Burden of Proof
- Conditional Use Permit Burden of Proof
- CUP Progress Schedule
- Mitigated Negative Declaration
- Vesting Tentative Parcel Map No. 26903
- Conditional Use Permit Case No. 02-301 Exhibit "A"

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATE: June 9, 2004

SYNOPSIS:

The applicant is requesting a zone change, conditional use permit and tentative parcel map approval to authorize the creation of five commercial lots with five commercial buildings and to change the zoning of the project site from A-1-10,000 (Light Agricultural- 10,000 square feet minimum lot area) to C-2-DP (Neighborhood Business-Development Program Zone).

PROCEEDINGS BEFORE THE COMMISSION

A duly noticed public hearing was held before the Regional Planning Commission on June 9, 2004. Two representatives for the applicant were sworn in to testify in favor of the request. One person testified expressing concerns about impacts from the proposed development on adjacent residential uses. The Regional Planning Commission voted (5-0) to close the public hearing, indicated its intent to recommend approval of the conditional use permit, tentative parcel map, and zone change, and direct staff to prepare findings and conditions for approval. On August 18, 2004, the Regional Planning Commission voted (4-0) to recommend approval of the conditional use permit, tentative parcel map and zone change request to the Board of Supervisors.

VOTE: 4-0

Concurring: Commissioners Valadez, Bellamy, Rew and Modugno

Dissenting: None

Abstaining: None

Absent: Helsley

Action Date: August 18, 2004